

## UNITED STATED DEPARTMENT OF COMMERCE Patent and Trademark Offic

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Washington, D.C. 20231

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO 09/321,390 05/27/99 LESIEUR R **EXAMINER** IM22/0131 WILLIAM W JONES RIDIEY B PAPER NUMBER 6 JUNIPER LANE ART UNIT MADISON CT 06443 1764 DATE MAILED: 01/31/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

Advisory Action    Basia Ricide   The International Processing   Part		Application No.	Applicant(s)	
Examin r  -The MAILING DATE of this communication appears on the c ver sheet with the correspondence address -  THE REPLY FILED 19 January 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may poly be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (ReCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check only a) or 1)  The period for reply appeas 3 months from the maling date of the final rejection.  PERIOD FOR REPLY (check only a) or 1)  The period for reply appeas 3 months from the maling date of the final rejection in the world the early submission of the proposed reply (within two months as set forth in MFEP § 706.07 (ft), the period for my the period for the Advance Advance Advance Advanced	LESIEUR B			
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<ul> <li>in view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (ft), the period for reply expires on the maling date of this final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the maling date of the final rejection.</li> <li>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee maniling date of the final rejection.</li> <li>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(i). Calculated from (i) the expiration date of the shortened statutory period for reply originally eat in the final office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the maling date of the final rejection, even if timely filled, may reduce any search gate and the maling date of the final rejection, even if timely filled, may reduce any search gate and search gate and search gate and search gate and the corresponding amount of the fee.</li> <li>1. A Notice of Appeal was filled on Appellant's Brief must be filled within the period set forth in 37 CFR 1.139(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.</li> <li>2. The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.</li> <li>3. The proposed amendment(s) will not be entered because:         <ul> <li>(a) they raise new issues that would require further consideration and/or search. (see NOTE below);</li> <li>(b) they raise the issue of new matter. (see Note below);</li> <li>(c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</li></ul></li></ul>				
have been flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension real under 100 starts of CP 1760 is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; of 2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filled, may reduce any earned patent term adjustment. See 37 CPR 1.794(b).  1	b) In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the			
37 CFR 1.192(a), or any extension thereof (37CFR 1.191(d)), to avoid dismissal of the appeal.  2.	have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any			
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